

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

HERITAGE REALTY MANAGEMENT, INC.,)	Docket No. 04-333 ERIE
)	(Judge Sean J. McLaughlin)
)	
Plaintiff)	ELECTRONICALLY FILED PLEADING
)	
vs.)	MOTION TO AMEND CASE
)	MANAGEMENT ORDER
)	
JOHN ALLIN d/b/a ALLIN COMPANIES and SNOW MANAGEMENT GROUP,)	Filed on behalf of: Plaintiff, Heritage Realty
)	Management, Inc.
)	
Defendant)	Counsel of record for this party:
)	
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MOTION TO AMEND CASE MANAGEMENT ORDER

Heritage Realty Management, Inc., by and through its counsel, Knox McLaughlin Gornall & Sennett, P.C., respectfully moves this Court to amend the current Case Management Order, and states in support as follows:

1. Discovery in this matter is closed.
2. Pursuant to the current Case Management Order, dispositive motions and Heritage Realty Management, Inc.'s ("Heritage's") pre-trial narrative are to be filed by February 20, 2006.

3. The parties to this action have each expressed a willingness to investigate the possibility of settling this matter.

4. In order to begin settlement discussions, the defendant ("Allin") has agreed to provide financial information to Heritage and Heritage has supplied Allin with a specific request detailing the information it requires.

5. In addition, based upon information Heritage obtained during discovery in this matter, it has now filed a related action against Symbiot Snow Management Network, LLC., Symbiot Business Group, Inc. and Symbiot Management Group, LLC. (the "Symbiot Defendants").

6. Heritage's claims against the Symbiot Defendants relate to those defendants' actions immediately before and after Allin's breach of the contract at issue in this matter and their overall relationship to and unlawful gains as a result of that breach.

7. In order to allow Heritage and Allin to exchange necessary information to assess the possibility of resolving this matter, and to provide Heritage an opportunity to serve its complaint against the Symbiot Defendants and determine their willingness to participate in any negotiated resolution of this matter, Heritage respectfully requests a brief extension to the remaining case management deadlines.

8. Specifically, Heritage requests the following new deadlines:

Motions for summary judgment:	March 6, 2006
Responses to motions for summary judgment:	March 27, 2006
Plaintiff's pre-trial statement:	March 6, 2006
Defendant's pre-trial statement:	March 27, 2006

WHEREFORE, Heritage Realty Management, Inc., respectfully requests that this Court enter an order amending the case management order as prayed for in this motion and as identified in the attached proposed order.

Respectfully submitted,

KNOX McLAUGHLIN GORNALL &
SENNETT, P.C.

BY: /s/ Richard A. Lanzillo, Esq.

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